

MINUTES
VERNON TOWN COUNCIL REGULAR MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT

RECEIVED
VERNON TOWN CLERK
10 DEC 10 AM 8:43

December 7, 2010 – 7:00 PM

Mayor Jason L. McCoy called the meeting to order at 7:15 PM

A) PLEDGE OF ALLEGIANCE:

B) ROLL CALL:

Present: Council Members Daniel Anderson, Bill Campbell, Mark Etre, Judy Hany, Marie Herbst, James Krupinski, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Michael A. Winkler

Absent: Daniel Champagne, Harry D. Thomas

Entered During Meeting:

Also Present: Mayor Jason L. McCoy, Town Administrator John Ward, Recording Secretary Jill Kentfield

C) CITIZEN'S FORUM

James Smith, 21 Grant St – spoke about the parking changes at Maple Street school and informed Town Council members that teachers and parents are still parking in front of his house prohibiting him from receiving Town services such as leaf and garbage pick-up.

Jean Errs, 114 Main St – spoke about the November 16, 2010 meeting and the fact it ended abruptly due to a lack of quorum.

Bill Grougard, 54 Lake St. – spoke about the November 16, 2010 meeting and the fact it ended abruptly due to a lack of quorum. He also approved of the DPW Director position within Board of Education.

Jen Rogge, 2 Pine View Dr. - Spoke about the land trust discussion that took place at the November 16th meeting and the fact the meeting ended abruptly due to a lack of quorum.

Anne Letendre Spoke about the land trust discussion that took place at the November 16th meeting and the fact the meeting ended abruptly due to a lack of quorum.

Hal Cummings, 32 Ravens Croft – Reminded everyone present about the importance of Pearl Harbor Day and asked for a moment of silence

Maryanne Levesque, Bolton Road - Spoke about the land trust discussion that took place at the November 16th meeting and the fact the meeting ended abruptly due to a lack of quorum.

Marie Herbst, 245 Brandy Hill Rd – Spoke about Pearl Harbor Day and requested a moment of silence.

Citizen's forum closed at 7:37 PM

D.) PUBLIC HEARINGS
None

E.) PRESENTATIONS by the administration

7:37 PM – Council Member Motola left the table

7:38 PM – Council Member Motola returned.

Presentation to the Town Council by Mayor Jason L. McCoy on a variety of topics.

- 3 Winter displays are on the Town Green
- Food drive for Hockanum Valley Community Center produced 1700 turkeys and 3200 food items
- Meetings hosted by the Vernon Community Network regarding Homelessness and dealing with Homelessness are taking place, anyone interested in volunteering should contact Al Slobodien.
- DPW leaf collection complete
- Trailer stored at Roosevelt Mills has been brought to DPW and is being used for salt/brine mixing
- Informal meetings are taking place with Department heads regarding the budget
 - Technology requiring Departments to work together has been implemented
 - Looking into sharing resources
 - Waiting for the Governor's budget before making decisions
 - Mayor McCoy gave statistics regarding unemployment, per capita income, TANF funding, senior population, grand list loss due to reevaluations, better bond rating
- Mayor McCoy handed out a letter to Town Council Members that outlined cost shaving initiatives by consolidating services for the Board of Education. Discussion will take place at the next Town Council Meeting

Council Member Krupinski announced the Planning and Zoning and Design Review Commissions need volunteers to fill positions. They sometimes have issues holding meetings due to lack of quorum. He requested the Mayor and Town Council members encourage their constituents to volunteer.

Council Member Schaefer spoke about the letter from the Rockville Downtown Association and encouraged Town Council Members to join them at the Sock Hop this weekend.

Council Member Herbst spoke about the food collection that took place for HVCC. She requested the Mayor send a letter on behalf of the Town Council to thank the Police Department, Fire Department, Ambulance Corp, Rockville Rotary and Stop and Shop for their participation.

Council Member Krupinski asked for an update regarding the closing of the maternity ward at Rockville Hospital. He also asked about the rear handicapped doors being locked. Mayor McCoy explained that it was a security issue and anyone entering should ring the buzzer. The Town Hall had people coming in that weren't signing in. Council Member Krupinski requested a sign instructing citizens of the buzzer be hung. Council Member Herbst requested Administration take into consideration the back door in the entryway to the main corridor to sign in at the front desk is difficult to open.

F.) ACTION ON CONSENT AGENDA

Council Member Motola, seconded by Council Member Etre made a motion to approve the consent agenda items as presented. Council Member Herbst pulled item #'s 6, 7 and 8 and informational item #3, Council Member Krupinski pulled item #9 for discussion. Motion carried unanimously to approve consent agenda items 1,2, 3, 4 and 5 as presented.

- C 1. Request for Tax Refunds in the Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated November 24, 2010 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES TAX REFUNDS TOTALING \$532.91 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED NOVEMBER 24, 2010.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the tax refunds in the current year. Motion carried unanimously.

- C 2. Request the Town Council authorize the purchase of three (3) police cruisers for the Vernon Police Department.** (A copy of a memorandum from Captain Stephen M. Clark to John D. Ward, Town Administrator dated November 30, 2010 and a memorandum from Peter Graczykowski, Assistant Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council dated December 3, 2010 are included for review.)

PROPOSED MOTION:

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE TOWN CHARTER, CHAPTER TWELVE (XII) SECTION NINE (9), DEEMS IT IS AGAINST THE BEST INTEREST OF THE TOWN TO INVITE SEALED BIDS FOR THE PURCHASE OF THREE (3) 2011 FORD CROWN VICTORIA POLICE INTERCEPTORS WITH SPECIFIED OPTIONS AND HEREBY WAIVES THE BID PROCEDURE, AND AUTHORIZES THE TOWN ADMINISTRATOR AS MAYOR'S DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY TO PURCHASE THREE (3) 2011 FORD CROWN VICTORIA POLICE INTERCEPTORS WITH SPECIFIED OPTIONS FROM CROWLEY FORD, LLC OF PLAINVILLE, CONNECTICUT, FOR AN AMOUNT NOT TO EXCEED SIXTY SEVEN THOUSAND AND FIVE HUNDRED DOLLARS (\$67,500.00).

Council Member Motola, seconded by Council Member Etre made the above motion to authorize the purchase of 3 police cruisers for the Vernon Police Department. Motion carried unanimously.

- C 3. Request the Town Council approve the Mayors reappointment of Scott Sierakowski, (U), 63 Cubles Road, Vernon, Connecticut as a regular member of the Conservation Commission, said term to begin January 1, 2011 and expires on December 31, 2013.** (A copy of Mr. Sierakowski's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO TOWN OF VERNON ORDINANCE # 189 – TOWN CODE SECTION 10-91 & 10-92, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF SCOTT SIERAKOWSKI (U), 63 CUBLES ROAD VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE CONSERVATION COMMISSION, SAID TERM TO BEGIN JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2013.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's reappointment of Scott Sierakowski as a regular member of the Conservation Commission for a term of 1/1/2011 through 12/31/2013. Motion carried unanimously.

- C 4. Request the Town Council approve the Mayors reappointment of Melissa Shannon, (R) 14 Blue Ridge Drive, Vernon, Connecticut as a regular member of the Water Pollution Control Authority, said term to begin on January 1, 2011 and expires on December 31, 2013.** (A copy of Ms. Shannon's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER VIII, SEC. 3; AND CHARTER CHAPTER XII, SEC. 4, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF MELISSA SHANNON, (R) 14 BLUE RIDGE DRIVE, VERNON, CONNECTICUT, AS A REGULAR MEMBER OF THE WATER POLLUTION CONTROL AUTHORITY, SAID TERM TO BEGIN ON JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2013.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's reappointment of Melissa Shannon as a regular member of the Water Pollution Control Authority for a term of 1/2/2011 through 12/31/2013. Motion carried unanimously.

- C 5. Request the Town Council approve the Mayors reappointment of C. Christopher Ryan Goad, (U), 57 Glenstone Drive, Vernon, Connecticut as an alternate member of the Conservation Commission, said term to begin on January 1, 2011 and expires on December 31, 2013.** (A copy of Mr. Goad's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO TOWN OF VERNON ORDINANCE # 189 – TOWN CODE SECTION 10-91 & 10-92, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S RE APPOINTMENT OF C. CHRISTOPHER RYAN GOAD, (U), 57 GLENSTONE DRIVE, VERNON, CONNECTICUT AS AN ALTERNATE MEMBER OF THE CONSERVATION COMMISSION, SAID TERM TO BEGIN JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2013.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's reappointment of C. Christopher Ryan Goad as an alternate member of the Conservation Commission for a term of 1/2/2011 through 12/31/2013. Motion carried unanimously.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

Discussion took place regarding the 2 legal opinions that were shared at the November 16, 2010 meeting.

H.) PENDING BUSINESS

None

I.) NEW BUSINESS

None

J.) INTRODUCTION OF ORDINANCES

None

K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

None

L.) DISCUSSION OF ADDITIONAL AGENDA ITEMS, PULLED CONSENT ITEMS FROM F) AND PULLED ITEMS FROM O) INFORMATIONAL ITEMS, ETC

- C 6. Request the Town Council approve the Town Council Schedule for 2011.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council dated November 3, 2010 is included for Council review.)

PROPOSED MOTION #1

THE TOWN COUNCIL HEREBY APPROVES THE 2011-2012 TOWN COUNCIL SCHEDULE AS PRESENTED IN THE MEMORANDUM FROM JOHN D. WARD, TOWN ADMINISTRATOR TO MAYOR JASON L. MCCOY AND THE VERNON TOWN COUNCIL DATED NOVEMBER 3, 2010.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Town Council schedule for 2011 – 2012. Discussion took place. Motion carried unanimously.

PROPOSED MOTION #2

THE TOWN COUNCIL HEREBY CANCELS THE REGULARLY SCHEDULED TOWN COUNCIL MEETING FOR JANUARY 4, 2011 AND DIRECTS THE TOWN CLERK TO POST THE APPROPRIATE CANCELLATION.

Council Member Motola, seconded by Council Member Krupienski made the above motion to approve the cancellation of the January 4, 2011 regularly scheduled Town Council meeting. Discussion took place. Motion carried unanimously.

- C 7. Request the Town Council approve the job description for the Deputy Fire Marshal.** (A copy of a memorandum from Mayor Jason L. McCoy to the Vernon Town Council dated December 2, 2010 and a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy dated December 2, 2010 are included for Council review.)

PROPOSED MOTION

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER FOURTEEN (XIV) SECTION TWO (2) OF THE VERNON TOWN CHARTER, AS WELL AS SECTION FOUR POINT ONE (4.1) SUBSECTIONS (A) AND (B) OF THE TOWN OF VERNON PERSONNEL RULES AND REGULATIONS, APPROVES THE POSITION DESCRIPTION OF "DEPUTY FIRE MARSHAL," EFFECTIVE JANUARY 1, 2011.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the job description for the Deputy Fire Marshal. Discussion took place. Fire Marshall Ray Walker was present to answer questions. Council Member Anderson made a motion for a friendly amendment to add "this position does not add additional positions to the fire marshal's office." Mayor McCoy called the motion out of order. Discussion continued.

8:41 PM Council Member Etre left the table

8:43 PM Council Member Etre returned.

8:52 PM Council Member O'Shea left the table

Discussion took place regarding the Town of Vernon Personnel Rules and Regulations and whether or not to include an "inside employment" section that states a part time employee may not hold any other paid position in town. Council Member Etre requested a discussion at the next December meeting or January meeting regarding the impact of an employee having 2 part time positions to gain benefits of a full time employee.

8:58 PM Council Member O'Shea returned.

Council Member Motola made a motion to move the question, motion carried Council Member Anderson opposed. Original motion carried, Council Member Anderson opposed.

- C 8. Request the Town Council affirm the resolution entitled, "RESOLUTION ADOPTING REIMBURSEMENT FOR COSTS OF QUALIFIED STREET LIGHTS WITHIN THE TOWN OF VERNON'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENTS"**(A copy of a memorandum from Mayor Jason L. McCoy to the Vernon Town Council dated December 3, 2010 and a copy of the resolution are included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AFFIRMS THE RESOLUTION ENTITLED "RESOLUTION ADOPTING REIMBURSEMENT FOR COSTS OF QUALIFIED STREET LIGHTS WITHIN THE TOWN OF VERNON'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENTS" FOR FISCAL YEAR 2011-2012.

Council Member Motola, seconded by Council Member Etre made the above motion to adopt the resolution entitled "Resolution Adopting Reimbursement for Costs of Qualified Street Lights Within The Town of Vernon's Condominium Complexes and Planned Unit Developments. Discussion took place. Council Member Herbst requested a postponement for legal opinion review. Postponement not granted as Attorney Cummings was available to answer questions. Discussion continued. Council Member Motola made a motion to move the question, motion carried, Council Members Herbst and Schaefer opposed. Motion carried, Council Members Schaefer, and Herbst opposed, Council Member Krupienski abstained.

- C 9. Request the Town Council approve an appropriation for Remediation from the Police Firing Range.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council dated December 3, 2010 is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY MOVES TO AUTHORIZE AN APPROPRIATION IN THE AMOUNT OF \$45,000.00 TO REMEDIATE THE SITE OF THE VERNON POLICE DEPARTMENT FIRING RANGE AND FURTHER AUTHORIZES THE TRANSFER OF \$45,000.00 FROM THE GENERAL FUND FOR THE REMEDIATION.

Council Member Motola, seconded by Council Member Krupienski made the above motion to approve an appropriation for remediation of the police firing range. Discussion took place. Council Member Krupienski requested the spelling of Tankerhoosen be double checked before cutting check. Council Member Etre requested Administration take into consideration bioremediation vs removing soil and will provide Town Administrator Ward with information. Motion carried unanimously.

Discussion took place regarding informational item #13.

M.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 16, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member Etre made a motion to waive the reading of and approve the minutes of the November 16, 2010 Regular Town Council meeting. Motion carried, Council Members Anderson, Campbell, and O'Shea abstained.

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 19, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member Etre made a motion to waive the reading of and approve the minutes of the October 19, 2010 Regular Town Council meeting. Council Member Schaefer requested the following changes to page 6: the motion should reflect "motion failed" the following sentence should be added before the motion: "Vote taken out of Executive Session in open session." Motion carried unanimously.

9:37 PM Council Member O'Shea left the meeting

N.) EXECUTIVE SESSION

Council Member Motola, seconded by Council Member Krupinski made the following motion to go into executive session:

MOTION:

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES § 1-200(6) (B), HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION RELATIVE TO DOCKET NO. 82-70103 JUSTIN OLDEN VS TOWN OF VERNON AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: JOHN D. WARD, TOWN ADMINISTRATOR; PETER GRACZYKOWSKI, ASSISTANT TOWN ADMINISTRATOR AND ATTORNEY JENNIFER HOCK OF MCGANN, BARTLETT AND BROWN, LLC.

Motion carried unanimously.

Council Member Motola, seconded by Council Member Krupinski made the following motion out of executive session and in open session:

MOTION:

THE TOWN COUNCIL HEREBY MOVES TO AUTHORIZE THE SETTLEMENT OF THE WORKER'S COMPENSATION CLAIM BROUGHT BY MR. JUSTIN OLDEN AGAINST THE TOWN OF VERNON, DOCKET NO. 82-70103, UPON THE TERMS AND CONDITIONS AS DISCUSSED IN EXECUTIVE SESSION. DETAILS OF SETTLEMENT TO BE MADE PUBLIC UPON ACCEPTANCE BY ALL PARTIES AND APPROVAL BY THE WORKERS COMPENSATION COMMISSIONER.

Motion carried unanimously.

Council Member Motola, seconded by Council Member Herbst made the following motion to go into executive session:

MOTION:

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200(6) (B) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS THE SALE OF REAL ESTATE WITHIN THE TOWN OF VERNON, LOCATED ON OVIATE ROAD AND INVITES HAROLD CUMMINGS, TOWN ATTORNEY AND JOHN D. WARD, TOWN ADMINISTRATOR TO ATTEND.

Motion carried unanimously.

9:52 PM Council Member Motola, seconded by Council Member Etre made a motion to extend curfew until the end of business. Motion carried unanimously.

9:55 pm Council Member Anderson left the meeting

Council Member Motola, seconded by Council Member Krupinski made the following motion out of executive session and in open session:

MOTION:

THE TOWN COUNCIL HEREBY MOVES TO: (1) RESCIND THE APPROVAL OF THE SALE OF A PARCEL OF LAND FORMERLY KNOWN AS OVIATE ROAD, VERNON, CONNECTICUT TO GARY A. EDWARDS, OR HIS ASSIGNS FOR THE CONSIDERATION OF \$6035.00; SUCH APPROVAL ORIGINALLY GRANTED BY THE COUNCIL VOTE ON SEPTEMBER 21, 2010; FURTHER (2) MOVES TO INVITE SEALED BIDS FOR THE SALE OF OVIATE ROAD; AND FURTHER (3) AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY INSTRUMENTS NECESSARY TO COMPLETE THIS TRANSACTION.

Motion carried unanimously.

O.) INFORMATIONAL ITEMS, Petitions, communications, correspondence, reports, etc. not requiring action

1. Monthly Report EMS , October, 2010 as submitted by Jean Gauthier, EMS Coordinator.
2. Monthly Report Youth Service Bureau, October, 2010 as submitted by Alan M. Slobodien, Director.
3. Resignation letter from Republican Registrar of Voters Patty Noblet dated November 30, 2010.
4. News Articles from CTCASHO Summer/Fall Newsletter relative to the DPW "2010 Safety Snow Plow Roadeo Winners" and "Municipality Close-up: Town of Vernon".

Adjourn (10:01 PM)

Council Member Schaefer, seconded by Council Member Herbst made a motion to adjourn. Motion carried unanimously.

Received:

Approved:

Respectfully Submitted,

Draft #1

Unapproved Minutes

Jill Kentfield
Recording Secretary